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09/121,030	07/22/98	ALPEROVICH	V 27943-00200U

RAYMOND VAN DYKE
JENKINS & GILCHRIST
3200 FOUNTAIN PLACE
1445 ROSS AVENUE
DALLAS TX 75202-2799

WM51/1101

EXAMINER

CONTEE, J

ART UNIT	PAPER NUMBER
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2681

DATE MAILED:

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

MS

Office Action Summary

Application No.
09/121,030

Applicant(s)

Alperovitch et al.

Examiner

Joy K. Contee

Group Art Unit
2681



☒ Responsive to communication(s) filed on Jul 22, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-27 is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-27 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892.

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-5, 8-14, 17-21, 24, 25 and 27 rejected under 35 U.S.C. 102(e) as being anticipated by Farris et al. ("Farris"), U.S. Patent No. 6,125,113.

Regarding claim 1, Farris discloses in a telecommunications system, a method for selectively forwarding an incoming message to a subscriber over a packet-switched network, said method comprising the steps of:

receiving said incoming message, said incoming message to said subscriber containing therein a data type parameter (col. 15, lines 50-63);

determining, within a home location register for said subscriber, a call forwarding parameter associated with said subscriber corresponding to said data type parameter (col. 15, lines 35-63); and

routing said incoming message, pursuant to said call forwarding parameter, over said packet switched network to said subscriber (col. 15, lines 35-63).

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Regarding claim 2, Farris discloses the method according to claim 1, further comprising the steps of:

transmitting, by said subscriber, a call forwarding activation request to said home location register (col. 19, lines 10-38); and

storing, pursuant to said call forwarding activation request, said forwarding parameter within said home location register (col. 19, lines 10-38).

Regarding claim 3, Farris discloses the method to claim 1, wherein said packet-switched network is the Internet (col. 21, lines 45-55).

Regarding claim 4, Farris discloses the method according to claim 1, wherein said step of routing further comprises the step of routing said incoming message over said packet-switched network to an address destination on said packet-switched network (col. 15, lines 50-63 and col. 22, lines 63-67 and col. 23, lines 1-8).

Regarding claim 5, Farris discloses the method according to claim 1, wherein said step of routing further comprises the step of routing said incoming message through said packet-switched network and then back to said telecommunications system (col. 21, lines 47-67 and col. 22, lines 1-26).

Regarding claim 8, Farris discloses the method according to claim 1, wherein said incoming message includes a designated packet-switched network address destination col. 22, lines 63-67 and col. 23, lines 1-8)

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Regarding claim 9, Farris discloses a telecommunications system for selectively forwarding an incoming message to a subscriber over a packet-switched network, said system comprising:

a home location register to which said subscriber is assigned (col. 19, lines 23-27);

a home database, attached to said home location register, for storing therein a call forwarding profile for said subscriber, said call forwarding profile containing therein at least one call forwarding parameter associated with said subscriber, each said call forwarding parameter corresponding to a data type parameter contained in said incoming message (col. 15, lines 50-67 and col. 16, lines 1-12); and

routing means for routing said incoming message, pursuant to said call forwarding parameter, over said packet switched network to said subscriber (col. 15, lines 50-67).

Regarding claim 10, Farris discloses the telecommunications system according to claim 9, further comprising:

a mobile terminal for transmitting by said subscriber a call forwarding activation request to said home location register, said call forwarding activation request updating said call forwarding profile of said subscriber within said home database (col. 19, lines 10-38).

Regarding claim 11, Farris discloses the telecommunications system according to claim 10, wherein said packet-switched network is the Internet (col. 21, lines 45-55).

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Regarding claim 12, Farris discloses the telecommunications system according to claim 11, wherein said call forwarding activation request includes an Internet protocol address destination (col. 15, lines 50-63 and col. 22, lines 63-67 and col. 23, lines 1-8).

Regarding claim 13, Farris discloses the telecommunications system according to claim 12, wherein said Internet protocol address destination is associated with a terminal connected to said Internet (col. 22, lines 63-67 and col. 23, lines 1-8).

Regarding claim 14, Farris discloses the telecommunications system according to claim 12, wherein said Internet protocol address destination is associated with said mobile terminal (col. 22, lines 27-51).

Regarding claim 17, Farris discloses the telecommunications system according to claim 10, wherein said subscriber inputs a designated Internet protocol address destination to said mobile terminal (col. 21, lines 47-67).

Regarding claim 18, Farris discloses the telecommunications system according to claim 17, wherein said mobile terminal checks said designated Internet protocol address destination (col. 18, lines 60-67 and col. 19, lines 1-9).

Regarding claim 19, Farris discloses the telecommunications system according to claim 17, wherein said mobile terminal, in conjunction with a mobile switching center, verifies the existence of said designated Internet protocol address destination (col. 18, lines 60-67 and col. 19, lines 1-46).

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Regarding claim 20, Farris discloses the telecommunications system according to claim 10, wherein said call forwarding activation request is transmitted to said home database via said packet-switched network (col. 18, lines 22-38).

Regarding claim 21, Farris discloses a mobile terminal, associated with a subscriber, for selectively indicating the forwarding of an incoming message thereto over a packet-switched network, said mobile terminal comprising:

input means for inputting, by said subscriber, a call forwarding activation request (col. 19, lines 10-38); and

transmission means for transmitting said call forwarding activation request, whereby said incoming message is forwarded to said subscriber, pursuant to said call forwarding activation request, over said packet-switched network (col. 15, lines 35-63).

Regarding claim 24, Farris discloses the mobile terminal according to claim 21, wherein said packet-switched network is the Internet and said call forwarding activation request comprises an Internet protocol address (col. 21, lines 45-55 and col. 22, lines 63-67 and col. 23, lines 1-8).

Regarding claim 25, Farris discloses the mobile terminal of claim 24, wherein said input means further comprises format checking means for checking whether a respective inputted protocol address is in a proper format (col. 18, lines 60-67 and col. 19, lines 1-9).

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Regarding claim 27, Farris discloses the mobile terminal of claim 21, further comprising Internet call forwarding indicator means for providing an indication to a subscriber that Internet call forwarding is activated (col. 22, lines 12-17).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6 and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Farris, in view of Pepe et al., U.S. Patent No. 5,742,905.

Regarding claim 6, Farris discloses the method according to claim 1. Farris does not explicitly disclose the method wherein said call forwarding parameter derived from said incoming message comprises an indication that said call forwarding is activated for data and fax information.

However, in the same field endeavor, Pepe is evidence of the method wherein said call forwarding parameter derived from said incoming message comprises an indication that said call forwarding is activated for data and fax information (col. 6, lines 34-67 and col. 7, lines 1-15).

Regarding claim 15, Farris discloses the telecommunications system according to claim 10.

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Pepe also discloses the method wherein said call forwarding activation request includes a provision to forward via said packet-switched network incoming calls comprised of fax and data information (col. 6, lines 34-67 and col. 7, lines 1-15).

At the time of the invention it would have been obvious to one of ordinary skill in the art that data and fax information would be included in the packet switched data sent and forwarding of the Internet or other packet switched network for the purpose communicating a large amount of text or other data via a mobile telephone or terminal.

5. Claims 7 and 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Farris, in view of Tatchell et al., U.S. Patent No. 5,99,611.

Regarding claim 7, Farris discloses the method according to claim 1.

Farris does not explicitly disclose the method wherein said call forwarding parameter derived from said incoming message comprises an indication that said call forwarding is activated for incoming calls that incur toll messages.

However, in a similar field of endeavor Tatchell suggests the method wherein said call forwarding parameter derived from said incoming message comprises an indication that said call forwarding is activated for incoming calls that incur toll messages (col. 19, lines 25-38).

Regarding claim 16, Farris discloses the telecommunications system according to claim 10.

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Tatchell further suggests the method wherein said call forwarding activation request includes a provision to forward via said packet-switched network incoming calls which incur toll charges (col. 19, lines 25-38).

At the time of the invention it would have been obvious to one of ordinary skill in the art that Farris would be modified to include a forwarding parameter within the call forwarding activation request, which indicates whether or not the incoming call would incur toll charges.

Motivation for doing so, would have been for the purpose of selectively forwarding long distance calls via the internet, in which they may not incur tolls.

6. Claims 22 and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Farris, in view of Hallenstal. U.S. Patent No. 6,125,126.

Regarding claim 22, Farris discloses the mobile terminal according to claim 21. Farris does not explicitly disclose the method wherein said input means further comprises a key means for inputting said call forwarding activation request by pressing a single key.

However, Hallenstal suggests the method wherein said input means further comprises a key means for inputting said call forwarding activation request by pressing a single key (col. 2, lines 52-65 and col. 5, lines 50-67).

At the time of the invention it would have been obvious to one of ordinary skill in the art that the keypad code sequence would be modified from being manually entered each time to being programmed in the memory of the telephone, as is well known in the art. Therefore the user would only have to depress a single button in order to activate call forwarding.

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Regarding claim 23, Farris discloses the mobile terminal according to claim 21. Farris does not explicitly disclose the method wherein said input means further comprises a menu means for inputting said call forwarding activation request.

However, in a similar field of endeavor, Hallenstal is evidence of the method wherein said input means further comprises a menu means for inputting said call forwarding activation request (col. 5, lines 32-49).

At the time of the invention it would have been obvious to one of ordinary skill in the art that Farris would have been modified to include a menu means for the subscriber when activating the call forwarding request for the purpose of giving the subscriber various options as is well known in the art.

7. Claim 26 rejected under 35 U.S.C. 103(a) as being unpatentable over Farris and Hallenstal.

Regarding claim 26, the combination of Farris and Hallenstal disclose the mobile terminal of claim 23.

The combination of Farris and Hallenstal suggests a selective call forwarding method in which the user is able to select where messages are sent and through with medium they are to be sent.

Thus, the Examiner takes Official Notice that it would have been obvious from the combination to include a method wherein said call forwarding activation request is selected from the group consisting of (i) fax and data only Internet call forwarding, (ii) long distance only

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Internet call forwarding, (iii) email Internet protocol address call forwarding, and (iv) combinations of (I), (ii) and (iii).

Thus Examiner believes that is well known in the art, as described in Farris and Hallenstal for a user to select the conditions of it call forwarding parameters.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Emery et al., U.S. Patent No. 5,353,331, discloses a personal communications service using wireline/wireless integration.

Strauch et al., U.S. Patent No. 5,74,551, discloses a telecommunication apparatus for receiving, storing and forwarding a plurality of voice signals.

Pepe et al., U.S. Patent No. 5,742,668, discloses an electronic Messaging network.

Astrom et al., U.S. Patent No. 6,058,303, discloses a system and method for subscriber activity supervision.

Alperovich et al., U.S. Patent No. 6,078,804, discloses providing different routing treatments for emergency calls based on subscriber specified data.

Dahlin et al., U.S. Patent No. 6,122,263, discloses an internet access for cellular networks.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is (703) 308-0149.

The Examiner may be reached Monday through Friday from 6:00 a.m. to 2:30 p.m. If attempts to reach the Examiner prove unsuccessful, her supervisor, Dwayne Bost can be contacted on (703)305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6296, (for formal communications intended for entry)

Or:

(703) 305-6306, (for informal or draft communications, please label "PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).

Joy K. Contee



October 22, 2000



William G. Trost
Primary Examiner